

Chad R. Fears, Esq.
Nevada Bar No. 6970
Alexandria L. Layton, Esq.
Nevada Bar No. 14228
EVANS FEARS & SCHUTTERT LLP
2300 West Sahara Avenue, Suite 950
Las Vegas, Nevada 89102
Telephone: 702-805-0290
Facsimile: 702-805-0291
Email: cfears@efstriallaw.com
Email: alayton@efstriallaw.com

Andrew K. O'Connell
Maryland Bar No. 28168
(Admitted pro hac vice)
THOMAS & LIBOWITZ, P.A.
100 Light Street, Suite 1100
Baltimore, Maryland 21202
Telephone: 410-752-2468
Facsimile: 410-752-0979
Email: aoconnell@tandllaw.com

Attorneys for Defendants

SINCLAIR PORTLAND LICENSEE, LLC, KATV LICENSEE, LLC,
SINCLAIR BAKERSFIELD LICENSEE, LLC, SINCLAIR BOISE
LICENSEE, LLC, SINCLAIR EUGENE LICENSEE, LLC,
SINCLAIR YAKIMA LICENSEE, LLC, KEYE LICENSEE, LLC,
KGBT LICENSEE, LLC, KHQA LICENSEE, LLC, SINCLAIR
LEWISTON LICENSEE, LLC, SINCLAIR SEATTLE LICENSEE,
LLC, SINCLAIR RADIO OF SEATTLE LICENSEE, LLC, KRCG
LICENSEE, LLC, KTUL LICENSEE, LLC, KTVL LICENSEE, LLC,
KTVO LICENSEE, LLC, KUTV LICENSEE, LLC, KVII LICENSEE,
LLC, WACH LICENSEE, LLC, WFXL LICENSEE, LLC, WGXA
LICENSEE, LLC, WJAR LICENSEE, LLC, WKRC LICENSEE, LLC,
WLUK LICENSEE, LLC, WNWQ LICENSEE, LLC, WOAI
LICENSEE, LLC, WPBN LICENSEE, LLC, WPDE LICENSEE,
LLC, WSET LICENSEE, LLC, WSTQ LICENSEE, LLC, WTV
LICENSEE, LLC, WTVN LICENSEE, LLC, WZTV LICENSEE, LLC

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

BRITTNEY GOBBLE PHOTOGRAPHY, LLC,

Plaintiff,

vs.

SINCLAIR PORTLAND LICENSEE, LLC, ET.
AL.

Defendants.

Case No. 2:18-cv-02096-RFB-PAL

**JOINT STIPULATION TO TRANSFER
CASE TO THE U.S. DISTRICT COURT
OF MARYLAND AND PROPOSED
ORDER**

1 Defendants Sinclair Portland Licensee, LLC, KATV Licensee, LLC, Sinclair Bakersfield
2 Licensee, LLC, Sinclair Boise Licensee, LLC, Sinclair Eugene Licensee, LLC, Sinclair Yakima
3 Licensee, LLC, KEYE Licensee, LLC, KGBT Licensee, LLC, KHQA Licensee, LLC, Sinclair
4 Lewiston Licensee, LLC, Sinclair Seattle Licensee, LLC, Sinclair Radio of Seattle Licensee, LLC,
5 KRCG Licensee, LLC, KTUL Licensee, LLC, KTVL Licensee, LLC, KTVO Licensee, LLC,
6 KUTV Licensee, LLC, KVII Licensee, LLC, WACH Licensee, LLC, WFXL Licensee, LLC,
7 WGXA Licensee, LLC, WJAR Licensee, LLC, WKRC Licensee, LLC, WLUK Licensee, LLC,
8 WNWO Licensee, LLC, WOAI Licensee, LLC, WPNB Licensee, LLC, WPDE Licensee, LLC,
9 WSET Licensee, LLC, WSTQ Licensee, LLC, WTOV Licensee, LLC, WTVC Licensee, LLC,
10 WZTV Licensee, LLC, and Grey Television Licensee, LLC (“Defendants”)¹ and Plaintiff Brittney
11 Gobble Photography, LLC mutually stipulate and move this Court for an Order to transfer this case
12 to the U.S. District Court of Maryland pursuant to 28 U.S.C. section 1404, based upon the
13 following:

14 1. Plaintiff filed its Complaint on October 31, 2018. With the sole exception of Gray
15 Television Licensee, LLC, see note 1 below, Defendants served their Answer on January 8, 2019.

16 2. Plaintiff also filed cases in Maryland and Delaware involving related parties and the same
17 copyrighted images at issue here. The Maryland cases are: Case No. 1:18-cv-03384-RDB and
18 Case No. 1:18-cv-03403-RDB (“Maryland U.S. Dist. Court Cases”), which have now been
19 consolidated by order of Judge Richard Bennett. See Ex. 1 (ECF 23)

20 3. The Delaware case filed by the Plaintiff is: Case No. 1:18-cv-01720-MN, which the parties
21 thereto anticipate transferring and consolidating with the Maryland U.S. Dist. Court Cases.

22 4. Based upon the issues raised and parties involved in all cases, and for the consolidation of
23 the involved parties and witnesses, and in the interest of justice, all Parties to this action have
24 mutually agreed to have this Court transfer this Case to the U.S. District Court of Maryland so it
25 can be consolidated with the Maryland U.S. Dist. Court Cases under lead Case No. 1:18-cv-03403-RDB.

26 5. Upon completion of this transfer, Case No. 2:18-cv-02096-RFB-PAL shall be considered

27 ¹Undersigned counsel files this Stipulation on behalf of all parties, including GRAY TELEVISION
28 LICENSEE, LLC, whose Answer is filed contemporaneously herewith.

1 closed and all relevant documents shall be included with said transfer.

2 6. The Parties agree to comply with all Local Rules as required by the U.S. District Court of
3 Maryland.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 28 U.S.C. section 1404 addresses the issue of Change of Venue and states in relevant part:

- 6
7 (a) For the convenience of parties and witnesses, in the interest of justice, a district court
8 may transfer any civil action to any other district or division where it might have
been brought or to any district to which all parties have consented.

9 As stated, the parties to this action have discussed the efficiency and appropriateness of
10 transferring the matter to the U.S. District Court of Maryland where Sinclair Broadcast Group, Inc.
11 has its corporate headquarters. Based upon the issues and the parties involved in all cases, and for
12 the consolidation of the involved parties and witnesses, and in the interest of justice, the Parties
13 have mutually consented to have this Court transfer this case to the U.S. District Court of Maryland
14 so that it can be consolidate under lead Case No. 1:18-cv-03403-RDB.

15 Accordingly, the parties have agreed that the intent of 28 U.S.C. 1404(a) is applicable to
16 the facts set forth and that the case against Defendants should be transferred to U.S. District Court
17 of Maryland, to be combined with Case Nos. Case No. 1:18-cv-03384-RDB and Case No. 1:18-cv-
18 03403-RDB and consolidated under lead Case No. 1:18-cv-03403-RDB, so as to have the entire
19 matter heard in the same Court in the interest of justice.

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2 HOFLAND & TOMSHEK

EVANS FEARS & SCHUTTERT LLP

3 By: /s/ Bradley Hofland

4 Bradley Hofland, Esq.
(NV Bar No. 6343)
228 South 4th Street, 1st Floor
5 Las Vegas, Nevada 89101

By: /s/ Chad R. Fears

Chad R. Fears, Esq.
(NV Bar No. 6970)
Alexandria L. Layton, Esq.
(NV Bar No. 14228)
2300 West Sahara Avenue, Suite 950
6 Las Vegas, Nevada 89102

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8 QUISENBERRY LAW PLLC

THOMAS & LIBOWITZ, P.A.

9 By: /s/ C. Dale Quisenberry

10 C. Dale Quisenberry, Esq.
(TX Bar No. 24005040) (*Pro hac vice*)
13910 Champion Forest Drive, Suite 203
11 Houston, Texas 77069

By: /s/ Andrew K. O'Connell

Andrew K. O'Connell
(MD Bar No. 28168) (*Pro hac vice*)
100 Light Street, Suite 1100
12 Baltimore, Maryland 21202

13 *Attorneys for Plaintiff*

Attorney for Defendants

14 **ORDER**

15 The Court finds that the above-named parties have mutually agreed to transfer this case to
16 the U.S. District Court of Maryland to be consolidated under lead Case No. No. 1:18-cv-03403-
17 RDB. This Court grants the Parties' Stipulation as presented in accordance with 28 U.S.C. section
1404(a).

18 **IT IS SO ORDERED.**

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21 RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

22 DATED this 22nd day of February, 2019.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JOINT STIPULATION TO TRANSFER CASE TO THE U.S. DISTRICT COURT OF MARYLAND AND PROPOSED ORDER** was electronically served on counsel of record this 20th day of February, 2019, using the Court's CM/ECF System.

/s/ Faith B. Radford
An Employee of Evans Fears & Schuttart LLP

EXHIBIT 1

U.S. District Court of Maryland

Baltimore Division

Case No. 1:18-cv-03403-RDB

Case No. 1:18-cv-00384-RDB

Order Consolidating Cases

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION

BRITTNEY GOBBLE PHOTOGRAPHY, LLC, *

Plaintiff, *

v. *

Case No. 1:18-CV-03384-RDB

KABB LICENSEE, LLC, *et al.*, *

Case No. 1:18-CV-03403-RDB

Defendants/Third-Party Plaintiffs, *

v. *

USA ENTERTAINMENT NEWS, INC., *

d/b/a "WENN" and "WORLD
ENTERTAINMENT NEWS NETWORK" *

Third-Party Defendants. *

* * * * *

BRITTNEY GOBBLE PHOTOGRAPHY, LLC *

Plaintiff, *

v. *

SINCLAIR BROADCAST GROUP, INC. *

Defendant/Third-Party Plaintiff, *

v. *

USA ENTERTAINMENT NEWS, INC., *

d/b/a "WENN" and "WORLD
ENTERTAINMENT NEWS NETWORK" *

Third-Party Defendant *

* * * * *

ORDER

Upon consideration of the request to consolidate the two above-captioned civil actions set forth in correspondence with this Court, dated December 26, 2018 (ECF 21), by Plaintiff Brittney Gobble Photography, LLC and Defendant Sinclair Broadcast Group, Inc., as parties to Case No. 1:18-CV-03403-RDB, and Plaintiff Brittney Gobble Photography, LLC and Defendants KABB Licensee, LLC, KOKH Licensee, LLC, Chesapeake Television Licensee, LLC, Birmingham (WABM-TV) Licensee, Inc., WGME Licensee, LLC, WICS Licensee, LLC, Portland (WPFO-TV) Licensee, Inc., WSYX Licensee, LLC and Columbus (WTTE-TV) Licensee, Inc., as parties to Case No. 1:18-CV-03403-RDB, pursuant to Fed. R. Civ. P. 42 (a)(2), it is, this 10th day of January, 2019, hereby

ORDERED Case No. 1:18-CV-03384-RDB and Case No. 1:18-CV-03403-RDB are consolidated for all further proceedings. Case No. 1:18-CV-03403-RDB is designated as the lead case. All future filings for the two above-captioned actions shall be made in the lead case.



The Honorable Richard D. Bennett
U.S. District Court, District of Maryland